



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Planning Commission

MEETING DATE February 11, 2016	CONTACT/PHONE Stephanie Fuhs (805) 781-5721 sfuhs@co.slo.ca.us	APPLICANT Margarita Valley Ranch, Inc.	FILE NO. Tract 2650 SUB2005-00233
SUBJECT A request for a first time extension by Margarita Valley Ranch, Inc. for a Vesting Tentative Tract Map (Tract 2650) to subdivide an existing 19.50 acre parcel into sixteen parcels of approximately one acre each for the purpose of sale and/or development. The project includes off-site road improvements to Via Concha and Willow Roads. The project will result in the disturbance of the entire 19.50 acre parcel. The division will create two on-site roads. The proposed project is within the Recreation land use category. The project is located at the northwest corner of Willow Road and Via Concha Road, directly adjacent to the west of Blacklake Village, approximately two miles northwest of the community of Nipomo. The site is in the South County subarea of the South County planning area.			
RECOMMENDED ACTION Approve the first time extension request for Vesting Tentative Tract Map Tract 2650.			
ENVIRONMENTAL DETERMINATION The Planning Commission adopted a Mitigated Negative Declaration when the Tract Map was approved on January 11, 2007.			
LAND USE CATEGORY Recreation	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-181-052,053	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: Section 22.112 – South County Planning Area Standards			
LAND USE ORDINANCE STANDARDS: 22.22.120 – Subdivision Design Standards for the Recreation land use category			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Residential <i>East:</i> Recreation/Blacklake Golf Course <i>South:</i> Residential Rural/Residential <i>West:</i> Residential Rural/Agricultural uses			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative tract map was originally referred to: South County Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD			
TOPOGRAPHY: Gently to moderately sloping		VEGETATION: Grasses, eucalyptus, scattered shrubs	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CalFire		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ Fax: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map Tract 2650 was approved by the Planning Commission on January 11, 2007 and was set to expire on January 11, 2016. On December 7, 2015, the applicant requested the **first one year time extension**. If a time extension request is submitted prior to the expiration date, it remains valid until acted on by the decision making body.

Vesting Tentative Tract Map Tract 2650 is a request by Margarita Valley Ranch, Inc. for a Vesting Tentative Tract Map (Tract 2650) to subdivide an existing 19.50 acre parcel into sixteen parcels of approximately one acre each for the purpose of sale and/or development. The project includes off-site road improvements to Via Concha and Willow Roads. The project will result in the disturbance of the entire 19.50 acre parcel. The division will create two on-site roads. The proposed project is within the Recreation land use category. The project is located at the northwest corner of Willow Road and Via Concha Road, directly adjacent to the west of Black Lake Village, approximately two miles northwest of the community of Nipomo. The site is in the South County subarea of the South County planning area.

This tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved tentative map shall expire twenty-four (24) months after its conditional approval. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions.

The Subdivision Map Act (Government Code Section 66410 et seq.) as amended by Senate Bill 1185, Assembly Bill 333, Assembly Bill 208 and Assembly Bill 116 currently allows time extensions to be granted to a maximum of thirteen (13) years past the initial approval period of two years for tentative parcel maps, if the tentative map qualifies for each of the state mandated extensions. Although Assembly Bill 116 is worded more broadly, applying to tentative maps "...approved on or after January 1, 2000..." tentative maps are eligible for this extension only if they were also approved prior to Assembly Bill 116's effective date, July 11, 2013.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the tentative map, staff recommends to the Planning Commission that the **first one year time extension** be granted to January 11, 2017, subject to the conditions of approval set by the Planning Commission on January 11, 2007.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, January 11, 2007

and reviewed by Steve McMasters, Supervising Planner